



REMARKS/ARGUMENTS

Claim 55 has now been added. Newly added claim 55 is based on , and supported by, original claim 17.

In the Official Action of June 7, 2004, claim 18 was objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to properly limit the subject of a previous claim. Specifically, the Examiner states that claim 18 is duplicative of claim 17 since both claims recite a saturating resin comprising melamine. Claims 18 has now been canceled. Accordingly, this ground of rejection is traversed.

Claims 17, 18, 24, 37-42 and 48 have been rejected under 35 U.S.C. 102(b) as being anticipated by Wark, U.S. Patent No. 3,294,622. This ground of rejection is respectfully traversed.

The Examiner states that the Wark reference illustrates, in Figure 6, a laminated article having a Masonite core. On one side of the core is an intermediate phenolic resin-impregnated bond sheet, and a melamine-impregnated top balance sheet. On the opposite side of the core is a phenolic resin-impregnated kraft bottom sheet, a melamine resin-impregnated print sheet, and a translucent overlay sheet.

The Examiner states that the print sheet of Wark reads on applicants' claimed saturated alpha cellulose sheet layer, while the overlay reads on applicants' claimed veneer layer. The Examiner specifically points to the present specification which states that applicant's veneer can be any wood-like material.

In response, the claims of this application have been amended to state that the veneer sheet of the present invention is a wood veneer. The types of wood products contemplated by applicants are described on page 7 of the specification, which is not intended to be an exhaustive list of such materials. Accordingly, the paper or rayon overlay sheet of Wark would not suggest the wood veneer of the present invention. Additionally, applicants' note that Figure 6 of the reference is directed to a laminated construction having 5 layers or components, while the present invention is directed to a laminate having 4 layers or components. Thus, the reference

requires the use of an additional layer not required in the present invention, to achieve some degree of warpage resistance. The omission of this additional layer is not taught in the reference, and one skilled in the art would therefore not be led to the present invention based on the Wark teaching.

The Examiner states that claim 37 is anticipated by the Wark reference since a method for making a product must produce a materially different product than a product disclosed in the prior art. The Examiner further states that the Wark reference discloses the same layers in the same relative order as the presently claimed laminate. However, contrary to the Examiner's contention, applicants point out that the Wark reference discloses a laminate having 5 layers, while the present invention relates to laminates having 4 layers. Moreover, claim 37 has been amended to recite that the veneer layer is wood. Accordingly, the method of claim 37 actually produces a product that is materially different than the products described in the Wark reference.

Claims 17-20, 23, 37-44 and 47 have been rejected under 35 U.S.C. 103(a) as being obvious over the McClain reference (U.S. Patent No. 1,299,747) in view of Petrik et al. (U.S. Patent No. 3,888,728). This ground of rejection is respectfully traversed.

The McClain reference describes a composite lumber article formed by using intermediate sheets of a porous material, such as paper, fabric or felt, impregnated with an adhesive as a binding layer. McClain also discloses that the binding layer can form a decorative surface layer for the laminate.

The Examiner acknowledges that the McClain reference does not teach that the impregnated paper sheet can be a melamine-impregnated alpha cellulose sheet, as required in the present claims, or that the laminate may comprise an aminoplast-impregnated carrier sheet on the surface of the substrate opposite the wood veneer. In addition, applicants note that McClain only discloses the use of the binding layer as a top layer for purposes of providing a durable finish to the laminate, and not to prevent warpage as is the case in the present invention.

The Petrik et al. reference is directed to carrier sheets saturated with an aminoplast resin for use in making laminated materials and for improving the surface of various materials, such as plywood plates.

The Examiner contends that it would be obvious to replace the paper sheets of McClain with the carrier sheets of Petrik et al., and to further use the carrier sheet of Petrik et al. as surface materials in the McClain structures, and one skilled in the art would be so motivated. Applicants respectfully disagree with this proposition.

Referring to Figure 4 of McClain, the reference discloses the use of an adhesive-impregnated fabric binder sheet interposed between two strips or sheets of wood. The structure depicted in Figure 4 of the reference is a compound wood product. The wood sheets of McClain appear to be equal in size, structure and shape, and are described in the reference as lumber sheets. Neither of these lumber sheets would be the equivalent of the veneer layer of the present application. Moreover, there is no basis for concluding that the Petrik et al. carrier sheets can be utilized as the intermediate binder sheets of McClain, when there is no disclosure in Petrik et al. that the carrier sheets of that reference can be used as binder sheets, or for purposes other than as surface films.

Neither McClain nor Petrik et al. are directed to the problem of overcoming warpage caused by the moisture content of laminated structures. Instead, these references deal with surface layers for composite structures. Accordingly, applicants submit that one skilled in the art would not be taught to use the carrier materials of Petrik et al. in order to prevent warpage as taught in the present invention.

Claims 22 and 46 stand rejected under 35 U.S.C. 103(a) as being obvious over McClain (U.S. Patent No. 1,299,747) in view of Patrick et al. (U.S. Patent No. 3,888,728), and further in view of Guyette (U.S. Patent No. 5,425,986). This ground of rejection is traversed.

Dependent claims 22 and 46 are directed to resin compositions wherein the resin comprises about 45 wt% to about 65 wt% of the resin-saturated sheet.

The McClain and Petrik et al. references have been discussed above in connection with the rejection of claims 17-20, 23, 37-44 and 47. Briefly, it is applicants position that one skilled in the art would not be motivated to combine these references as suggested, but even if so motivated, the result of such a combination would still fail to teach or suggest the present invention.

The Guyette reference has apparently been cited by the Examiner as disclosing the amount of resin and type of paper claimed in present claims 22 and 46. These limitations are apparently disclosed in col. 6, lines 47-52 of Guyette. Appellants note, however, that the limitations referred to in Guyette are for alpha cellulose sheets, while McClain is directed to the use of felt binding sheets.

Claims 25 and 49 stand rejected under 35 U.S.C. 103(a) as being obvious over McClain (U.S. Patent No. 1,299,747) in view of Petrik et al. (U.S. Patent No. 3,888,728), and further in view of Carter et al. (U.S. Patent No. 5,704,134) or Sunol (U.S. patent No. 4,992,308). This ground of rejection is traversed.

Dependent claims 25 and 49 are directed to embodiments wherein the veneer layer has a moisture content of about 7 wt.% to about 10 wt.% based on the weight of the veneer.

The Carter et al. and Sunol references appear to have been cited as disclosing dried wood products having a reduced moisture content. Notwithstanding, applicants submit that claims 25 and 49 are not obvious in view of the McClain and Petrik et al. references for reasons discussed above in connection with the prior rejections.

Claims 21 and 45 have been rejected under 35 U.S.C. 103(a) as being obvious over McClain (U.S. Patent No. 1,299,747) in view of Petrik et al. (U.S. Patent No. 3,888,728), and further in view of Higuchi et al. (U.S. Patent No. 4,307,206). This ground of rejection is traversed.

Claims 21 and 45 are directed to embodiments of the invention wherein the resin-saturated sheet is a material comprising about 60 wt.% of melamine and about 40 wt.% of urea.

The McClain and Petrik et al. references have been discussed above, and it is applicants' view that these references are not pertinent for reasons described therein. The Higuchi et al. reference has been cited as disclosing that urea and melamine condensates have been previously used as adhesives in the wood industry. Notwithstanding, the Higuchi et al. reference fails to remedy the deficiencies of either the McClain or Petrik et al. references as noted.

In view of the foregoing facts and reasons, this application is now believed to overcome all remaining rejections, and to otherwise be in proper condition for allowance. Accordingly, withdrawal of the outstanding rejections, and favorable action on this application, is solicited.

The Examiner is invited to contact the undersigned at the telephone number listed below if this is believed to facilitate allowance of this application.

Respectfully submitted,

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